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LETTER DATED 18 MAY 1993 FROM THE PERMANENT REPRESENTATIVE OF HUNGARY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith a letter dated 5 May 1993, together with its annexes, addressed to you by the Chairman and the Secretary of the Danube Commission, concerning the Federal Republic of Yugoslavia (Serbia and Montenegro).

I should be grateful if you would have the text of the aforesaid letter and its annexes circulated as a document of the Security Council.

(Signed) André ERDOS
Ambassador

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Annex

[Original: French and Russian]

Letter dated 5 May 1993 from the Chairman and the Secretary of the Danube Commission addressed to the President of the Security Council

We have the honour to inform you that the Danube Commission, at its fifty-first meeting, held in Budapest from 20 to 28 April 1993, adopted a resolution on the question of the continued collection by the authorities of the Federal Republic of Yugoslavia of transit charges from vessels passing through the Yugoslav sector of the Danube (CD/SES 51/40) and a resolution concerning the monitoring of compliance with the sanctions imposed by the United Nations Security Council against the Federal Republic of Yugoslavia (Serbia and Montenegro) and the treaty regime of navigation on the Danube (CD/SES 51/41). The text of these resolutions is enclosed.

Accept, Sir, the assurances of our highest consideration.

G. MISUR
CHAIRMAN OF THE
DANUBE COMMISSION

N. SLAVOV
SECRETARY OF THE
DANUBE COMMISSION

Appendix I

DANUBE COMMISSION
Fifty-first meeting

CD/SES 51/40

RESOLUTION

adopted at the fifty-first meeting of the Danube Commission concerning the question of the continued collection by the authorities of the Federal Republic of Yugoslavia of transit charges from vessels passing through the Yugoslav sector of the Danube

(Adopted at the plenary meeting held on 28 April 1993)

The Danube Commission,

Confirming the resolution adopted at the fourth special meeting of the Commission concerning the unilateral introduction by the Federal Republic of Yugoslavia, without consulting the Commission, of a fee for the use of navigational safety facilities on inland waterways by foreign vessels transiting through its sector of the Danube,

1. Deplores the fact that these decisions have not been fully implemented by the Federal Republic of Yugoslavia, and urges the competent authorities of the Federal Republic of Yugoslavia to take all the steps required for their implementation;

2. Reaffirms its statement that questions relating to the introduction of new fees and charges should be settled in accordance with the mechanism envisaged by the 1948 Belgrade Convention regarding the Regime of Navigation on the Danube.

Appendix II

DANUBE COMMISSION
Fifty-first meeting

CD/SES 51/41

RESOLUTION

adopted at the fifty-first meeting of the Danube Commission concerning the monitoring of compliance with the sanctions imposed by the United Nations Security Council against the Federal Republic of Yugoslavia (Serbia and Montenegro) and the treaty regime of navigation on the Danube

(Adopted at the plenary meeting held on 28 April 1993)

The 1948 Belgrade Convention regarding the Regime of Navigation on the Danube continued the tradition of regulating, by means of a multilateral treaty, the historically established regime of free commercial navigation.

The States members of the Danube Commission are complying strictly with the relevant Security Council resolutions, namely, 713 (1991), 757 (1992), 787 (1992) and 820 (1993).

They note, however, that as a result of the sanctions imposed against the Federal Republic of Yugoslavia (Serbia and Montenegro), it is mainly the Danubian countries which are suffering substantial economic losses.

While stating their determination also to fulfil strictly their future obligations under the Charter of the United Nations, the States members of the Danube Commission express their concern at the critical situation in the Danube region.

At the same time, they reaffirm their view that the strict implementation of the Security Council resolutions in question should be understood as involving steps to be taken within the framework of their national laws, taking into account also their individual obligations as sovereign States Members of the United Nations. However, they express their hope that upon the application of the Security Council measures, in conformity with existing practice in international law, consideration will be given to the serious threat to free navigation on the Danube.

The States members of the Danube Commission deem it essential to confirm officially that, in implementing the Security Council resolutions, they are guided by the following notions:

(a) All obligations relating to the regime of navigation on the Danube which are not affected by the sanctions must continue to be fulfilled strictly;

(b) Measures adopted in implementation of the Security Council resolutions which establish some limits on the regime of free navigation on the Danube should be regarded as being solely of a temporary nature. Such measures relate only to the actions taken with a view to the implementation of the relevant

Security Council resolutions, and cannot influence the future regime of free navigation on the Danube;

(c) In view of the substantial economic losses, they also deem it appropriate to inform the Security Council of the need to develop a compensatory mechanism.